

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:14-cr-114-DPM-17

ARTY RUSS PORTER

Reg. No. 20260-111

DEFENDANT

ORDER

Porter moves for immediate release under 18 U.S.C. § 3582(c)(1)(A)(i) based on the ongoing COVID-19 pandemic and the risk it presents to his health if he contracts it. He says he asked the warden for release and did not receive a response within thirty days. *Doc. 886 at 3*. He therefore can seek relief from this Court. 18 U.S.C. § 3582(c)(1)(A).

Porter's motion fails on the merits. He's a white male in his late-forties with a heart condition and high blood pressure. His concerns are therefore understandable. But Porter has served slightly more than half of his eleven-year sentence, which was a downward variance from his career offender advisory Guidelines range. Reducing Porter's sentence by another four years would not promote respect for the law, provide just punishment, reflect the seriousness of his offense, or adequately deter him and others. All material things considered, the statute's remedy—reducing Porter's sentence to time served—is not

appropriate in this case. 18 U.S.C. §§ 3582(c)(1)(A)(i) & 3553(a). His motion, *Doc. 886*, is therefore denied.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

8 September 2020